

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Implementation of the)	CC Docket No. 96-128
Pay Telephone Reclassification)	DA 97-2214
and Compensation Provisions of the)	
Telecommunications Act of 1996)	

REPLY COMMENTS
OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these reply comments in response to the comments filed on October 30, 1997, in the above captioned matter. The Commission is considering three separate petitions for waiver of the requirement that local exchange carriers ("LECs") and other payphone service providers provide payphone-specific coding digits to interexchange carriers ("IXCs").¹ NTCA is a national association of approximately LECs. These LECs provide telecommunications services to end users and interexchange carriers throughout rural America.

NTCA agrees with comments filed in support of the petitioners' request for additional time to implement either a Flex ANI-based or an OLNS/Line Information Database ("LIDB") method by which to meet the Commission's payphone coding digit requirement. The

¹ The United States Telephone Association ("USTA") and the LEC ANI Coalition filed petitions for waiver on September 30, 1997. TDS Communications Corporation ("TDS") filed its petition for waiver on October 1, 1997.

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Commission has previously recognized the public interest benefits of permitting LECs to satisfy technology requirements via the lowest possible cost and greatest efficiency.² NTCA strongly urges the Commission to adhere to its public interest goals by reaffirming that LECs may meet the payphone coding digit requirement via the method of their choice.

Both TDS and Illuminet find that AT&T's assertion that the OLNS/LIDB method would not be sufficient is baseless; LIDB is acceptable alternative to Flex-ANI.³ Further, the petitioners collectively indicate that the mandated imposition of a new Flex ANI-based solution would definitely slow implementation of payphone coding and unreasonably burden many LECs.⁴ Members of the LEC ANI also Coalition state that a Flex-ANI based solution for payphone coding is not cost-effective in the long run.⁵ TDS continues in its comments:

Flex ANI is not -- and should not be -- the required method by which LECs are to provide call coding. It is costly, time-consuming to install, and would shift significant expenses to LECs for which no cost-recovery mechanism has been provided.⁶

The National Exchange Carrier Association ("NECA") agrees, emphasizing that the deployment of a singular, standardized technology by all LECs to meet the coding digit requirement is impossible.⁷ For these reasons, NTCA believes that the Commission should reject any

² See, for example, *In the Matter of Policies and Rule Concerning Operator Service Access and Pay Telephone Compensation*, CC Docket No. 91-35, *Third Report and Order*, FCC No. 96-131 (rel. April 5, 1996).

³ TDS comments at 2-4. Illuminet, Inc. at 2.

⁴ TDS comments at 2. *See also*, USTA petition at 3.

⁵ LEC ANI Coalition petition at 3.

⁶ TDS comments at 6.

⁷ NECA at 2. *See also*, USTA petition at 4.

suggestion to restrict the number of available, technical options by which LECs may meet their obligations and implement the Commission's payphone rules.⁸

NTCA also supports the petitioners' request for an extension of time by which the appropriate technological solution must be implemented. USTA's petition explains that the technical and financial ability of LECs to provide payphone-specific information for per-call tracking purposes varies from company to company.⁹ All petitioners clearly indicate that additional time is required to phase in mandatory or voluntary upgrades or switch replacements and to establish tariffs reflecting these additional investments. NECA supports this assertion:

Equal access LECs will need at least an additional nine-month period to phase-in the necessary technology, to perform the necessary tests, and to establish arrangements for coordinating necessary signaling and database interchanges to ensure that the proper codes are transmitted and received by the IXC's ... Even some RBOCs, with their significantly greater resources, do not believe that they could comply with the *Payphone Orders* as late as mid-April of 1998, let alone the hundreds of smaller independents."¹⁰

NTCA fully supports the petitioners' request and asks the Commission to grant the waiver for a time extension of nine months.¹¹ An OLNS/LIDB approach can only be implemented once the necessary contracts are executed and the proper tests conducted.¹² NTCA further supports

⁸ See *Illuminet, Inc.* at 1-2.

⁹ USTA petition at 3.

¹⁰ NECA at 1-2.

¹¹ The Commission has already recognized the benefits of a limited waiver. On October 7, 1997, the Commission afforded those LECs, IXCs, and payphone service providers unable to provide payphone-specific digits, an extended transition period of five months for the provision of payphone coding. See *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Order, CC Docket No. 96-128, (rel. October 7, 1997).

¹² TDS petition at 2-3.

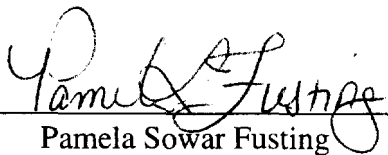
USTA's request that LEC non-equal access switches be exempt from providing payphone identification information until the switches are replaced or upgraded for equal access. The cost to require otherwise would be prohibitive and contrary to the public interest.


CONCLUSION

For reasons stated above, NTCA urges the Commission to grant the requested time extension of nine months during which equal access LECs will implement the technology necessary for payphone coding, as well as a waiver to grant non-equal access LECs an exemption from the payphone coding requirement until switches are upgraded for equal access. A waiver is both necessary and appropriate. NTCA also fully supports the petitioners' request that the Commission not restrict the technological method by which LECs may meet the Commission's payphone coding digit requirement.

Respectfully submitted,

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November 6, 1997

CERTIFICATE OF SERVICE

I, Gail C. Malloy, certify that a copy of the foregoing Reply Comments of the National Telephone Cooperative Association in CC Docket No. 96-128 was served on this 6th day of November 1997, by first-class, U.S. Mail, postage prepaid, to the following persons on the attached list:


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